

S. LANE TUCKER
United States Attorney

DUSTIN M. GLAZIER
Assistant U.S. Attorneys
U.S. Attorney's Office, District of Alaska
Federal Building & U.S. Courthouse
222 West Seventh Avenue, #9, Rm. 253
Anchorage, Alaska 99513-7567
Phone: (907) 271-5071
Fax: (907) 271-2344
E-mail: Dustin.Glazier@usdoj.gov

Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

KLOOSTERBOER INTERNATIONAL)
FORWARDING LLC and ALASKA)
REEFER MANAGEMENT LLC,) Case No. 3:21-cv-00198-SLG
Plaintiffs,)
vs.)
UNITED STATES OF AMERICA, U.S.)
DEPARTMENT OF HOMELAND)
SECURITY, U.S. CUSTOMS AND)
BORDER PROTECTION, and TROY A.)
MILLER, U.S. Customs and Border)
Protection Acting Commissioner, in his)
official capacity,)
Defendants.)

DEFENDANTS' STATUS REPORT

Defendants, through counsel, files this updated status report. While the United States appreciates the business concerns and pressures for Plaintiffs, this case involves

settlement of potential penalties totaling more than \$350 million (Dkt. 1) and therefore, requires high level approval within the Department of Justice, beyond the United States Attorney's Office and U.S. Customs and Border Protection. Defendants, although ever optimistic, have consistently communicated that the internal approval process is both lengthy and bureaucratic.

Defendants are pleased to update the Court that the settlement has now been reviewed by the International Trade Field Office and the Director of the National Courts Section. However, the settlement still requires three additional levels of progressively higher review within senior Department of Justice leadership, including final approval by the Associate Attorney General or her delegate. 28 CFR §§ 0.160-161. Undersigned counsel has been advised that the current estimate is no earlier than mid-January, in order for each level to have sufficient substantive review.

Defendants request that the Court continue a stay of all deadlines in this case for 30 days, until January 4, 2024. At which time Defendants shall provide an updated report on the status of approval.

RESPECTFULLY SUBMITTED this 5th day of December 2023, in Anchorage, Alaska.

S. LANE TUCKER
United States Attorney

s/ Dustin M. Glazier
Assistant U.S. Attorney
United States of America

Kloosterboer v. United States, et al.
Case No. 3:21-cv-00198-SLG

CERTIFICATE OF SERVICE

I hereby certify that on December 5, 2023,
a copy of the foregoing was served electronically on:

David Karl Gross, ABA #9611065
Edward E. McNally, ABA #9203003
Marc E. Kasowitz (*Pro Hac Vice*)
David J. Abrams (*Pro Hac Vice*)
David E. Ross (*Pro Hac Vice*)
Hector Torres (*Pro Hac Vice*)
Kim Conroy (*Pro Hac Vice*)
Attorneys for Plaintiffs

s/ Dustin M. Glazier
Office of the U.S. Attorney